

ORDINANCE NO. 14-_____

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, as follows:

Section 1. The City Council of the City of Huntsville, Alabama, finds that an application has been presented to the City of Huntsville requesting a vacation of a portion of a right-of-way; that the applicant has represented to the City of Huntsville that Legacy Partners Huntsville, LLC, is the owner of the property across which said right-of-way lies; that said right-of-way, or portion being vacated, is not presently used and is no longer needed for a public or municipal purpose.

Section 2. Pursuant to the findings in Section 1 hereinabove, the Mayor of the City of Huntsville, Alabama, is hereby authorized, requested and directed to execute a quitclaim deed vacating the right-of-way hereinafter described, said deed being substantially in words and figures as follows, to-wit:

THIS INSTRUMENT PREPARED BY:

Daniel M. Wilson Esq.
Maynard, Cooper & Gale, P.C.
655 Gallatin Street
Huntsville, Alabama 35801

QUITCLAIM DEED

STATE OF ALABAMA)

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF MADISON)

THAT FOR and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to the undersigned the **CITY OF HUNTSVILLE**, a municipal corporation in the State of Alabama (hereinafter referred to as the "Grantor"), in hand paid by **LEGACY PARTNERS HUNTSVILLE, LLC**, an Alabama limited liability company (hereinafter referred to as the "Grantee"), receipt of which is acknowledged, the Grantor does hereby remise, release, quitclaim, grant, sell and convey unto the Grantee, all of its interest in and to the following described real estate (the "Property") situated in Madison County, Alabama to-wit:

All that part of Section 21, Township 4 South, Range 1 East, Madison County, Alabama and more particularly described as:

Beginning at a capped iron pin found stamped "G.W. Jones & Sons C.E. CA-2000E" on the northerly boundary of Cecil Ashburn Drive and being the southern most corner of Lot 1 of the "Boundary Plat Legacy at Jones Farm" as recorded in Document No. 20130829000572200 in the Office of the Judge of the Probate Court of Madison County, Alabama; thence N62°34'53"E along the northerly right-of-way line of Cecil Ashburn Drive, a distance of 242.60 feet to a capped iron pin found stamped "Smith CA-00122LS"; thence northeasterly, 65.61 feet along the northerly right-of-way line of Cecil Ashburn Drive and along a curve to the right, having a radius of 577.46 feet and a chord bearing of N65°46'12"E and a chord distance of 65.58 feet to a capped iron pin found stamped "Smith CA-00122LS"; thence S26°41'15"E, a distance of 25.23 feet to a capped iron pin set stamped "Littlejohn CA-1039-LS"; thence S62°14'49"W, a distance of 155.42 feet to a capped iron pin set stamped "Littlejohn CA-1039-LS"; thence S49°12'09"W, a distance of 44.20 feet to a capped iron pin set stamped "Littlejohn CA-1039-LS"; thence S62°35'15"W, a distance of 109.34 feet to a capped iron pin set stamped "Littlejohn CA-1039-LS"; thence N27°24'45"W, a distance of 40.00 feet to the point of beginning.

Containing 10,359.73 square feet or 0.24 acres, more or less.

BUT RESERVING IN FAVOR OF GRANTOR A PUBLIC UTILITY AND DRAINAGE EASEMENT OVER, ACROSS AND UNDER THE PROPERTY DESCRIBED ABOVE.

Grantor shall not be liable to Grantee, its successors or assigns, for any damage to any improvements located or to be located on the Property caused by Grantor in the exercise of any easement rights reserved to Grantor as set out herein.

TO HAVE AND TO HOLD unto the Grantee, its successors and assigns forever.

Pursuant to and in accordance with Section 40-22-1 of the Code of Alabama (1975), the following information is offered in lieu of submitting Form RT-1:

Grantor's Address:	308 Fountain Circle, PO Box 308, Huntsville, Alabama 35801
Grantee's Address:	401 Franklin Street, Suite B, Huntsville, AL 35801
Property Address:	Carl T. Jones Drive
Purchase Price:	N/A

IN WITNESS WHEREOF, GRANTOR has hereunto set its hand and seal, effective as of the 9th day of October, 2014.

CITY OF HUNTSVILLE
a municipal corporation in the State of Alabama

By: _____
Tommy Battle, Mayor

ATTEST:

By: _____
Charles E. Hagood
Clerk-Treasurer

STATE OF ALABAMA)
COUNTY OF MADISON)

I, the undersigned, a notary public in and for said County, in said State, hereby certify that Tommy Battle and Charles E. Hagood, whose names as Mayor and Clerk-Treasurer, respectively, of the City of Huntsville, a municipal corporation in the State of Alabama, are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, as such officers and with full authority, executed the same for and as the act of said municipal corporation on the day the same bears day.

GIVEN under my hand and official seal this the 9th day of October, 2014.

[SEAL]

Notary Public
My Commission Expires _____

Ordinance No. 14-_____ (Cont.)
Legacy Partners Huntsville, LLC

ADOPTED this the 9th day of October, 2014.

President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 9th day of October, 2014.

Mayor of the City of
Huntsville, Alabama